

AFFIDAVIT OF KATHERINE A. SZUDY

IN THE STATE OF OHIO)
) ss:
COUNTY OF FRANKLIN)

I, Katherine A. Szudy, swear that the following is true:


- 1) I am an attorney licensed to practice law in the State of Ohio.
- 2) I am an Assistant Public Defender at the Office of the Ohio Public Defender.
- 3) On June 21, 2005 this Court dismissed Donald Hall's petition for Writ of Habeas Corpus, and adopted Magistrate Judge Hogan's Report and Recommendation (Doc. 33) in its entirety. (Doc. 36). Although this Court dismissed Mr. Hall's petition with prejudice, this Court also issued Mr. Hall a certificate of appealability, and granted Mr. Hall leave to proceed in forma pauperis upon a showing of financial necessity. (Doc. 36).
- 4) Mr. Hall has an I.Q. of 46, and is illiterate. (Doc. 17, Ex. 34, Motion for Leave to File Delayed Appeal Exhibit D). He was kept in a mental hospital from the ages of seven through twenty-five. Furthermore, Mr. Hall has been diagnosed with: moderate mental retardation, organic personality disorder, psychoactive substance abuse, antisocial personality disorder, and a sexual disorder.
- 5) Shortly after Mr. Hall's release from the mental hospital, Mr. Hall was arrested on charges of rape and aggravated burglary. Mr. Hall was convicted of these charges on November 25, 1981. The trial court sentenced Mr. Hall to two consecutive seven-to-twenty-five year sentences. Mr. Hall has been incarcerated since 1981.
- 6) Due to Mr. Hall's low level of comprehension and illiteracy, Mr. Hall could not read or understand the questions in this Court's affidavit of indigency.

7) However, undersigned counsel has attached a six-month summary of Mr. Hall's account from the Cashier's Office of the Southern Ohio Correctional Facility in Lucasville, Ohio. (See attached).

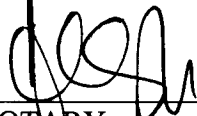
8) Mr. Hall is indigent and will continue to be indigent.

9) Therefore, Mr. Hall requests that this Court allow him to proceed in forma pauperis.

Further affiant sayeth naught.


KATHERINE A. SZUDY

Sworn to and subscribed to in my presence this 13th day of July, 2005.


NOTARY



AMANDA J. POWELL, Attorney At Law
NOTARY PUBLIC, STATE OF OHIO
My commission has no expiration date.
Section 147.03 R.C.